



Docket No.: M4065.0609/P609-C  
(PATENT)  
DRAFT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jiutao Li

Confirmation No.: 6244

Application No.: 10/758,008

Allowed: August 5, 2005

Filed: January 16, 2004

Group Art Unit: 2815

For: AGGLOMERATION ELIMINATION  
FOR METAL SPUTTER  
DEPOSITION OF  
CHALCOGENIDES

Examiner: Jesse A. Fenty

**APPLICANT'S COMMENTS ON EXAMINER'S STATEMENT OF REASONS  
FOR ALLOWANCE**

**Mail Stop Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

While Applicant does not disagree with the Examiner's stated reasons for allowance, Applicant notes that the claims define further unique combinations of limitations not found in the prior art. Therefore, the stated reasons for allowance should be interpreted as highlighting only some of the reasons why the claims are allowable.

Application No.: 10/758,008

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As usual, the scope of the claims should be interpreted based on the actual language of the allowed claims, and no further limitation of the claims should be inferred from the Examiner's Statement of Reasons For Allowance.

Dated: September 16, 2005

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Elizabeth Parsons

Registration No.: 52,499

DICKSTEIN SHAPIRO MORIN &

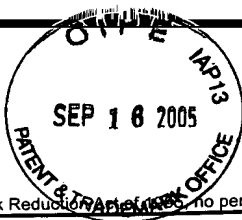
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|   |                      |                          |                        |
|---|----------------------|--------------------------|------------------------|
| <b>Effective on 12/08/2004.</b><br><b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> |                      | <b>Complete if Known</b> |                        |
| <b>FEE TRANSMITTAL</b><br><b>For FY 2005</b>  |                      | Application Number       | 10/758,008-Conf. #6244 |
|   |                      | Filing Date              | January 16, 2004       |
|   |                      | First Named Inventor     | Jiutao Li              |
|   |                      | Examiner Name            | J. A. Fenty            |
|   |                      | Art Unit                 | 2815                   |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27                                    |                      | Attorney Docket No.      | M4065.0609/P609-C      |
| <b>TOTAL AMOUNT OF PAYMENT</b>  | <b>(\$)</b> 1,715.00 |                          |                        |

|   |  |
|---|--|
| <b>METHOD OF PAYMENT</b> (check all that apply)   |  |
| <input type="checkbox"/> Check  | <input checked="" type="checkbox"/> Credit Card  |
| <input type="checkbox"/> Money Order  | <input type="checkbox"/> None  |
| <input type="checkbox"/> Other (please identify): _____   |  |
| <input checked="" type="checkbox"/> Deposit Account   | Deposit Account Number: <u>04-1073</u> Deposit Account Name: <u>Dickstein Shapiro Morin &amp; Oshinsky LLP</u> |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)                |  |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below   | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee                              |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments  |

|   |                    |                     |   |                     |                         |                      |                                  |
|---|--------------------|---------------------|---|---------------------|-------------------------|----------------------|----------------------------------|
| <b>FEE CALCULATION</b>  |                    |                     |   |                     |                         |                      |                                  |
| <b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>  |                    |                     |   |                     |                         |                      |                                  |
|   | <b>FILING FEES</b> |                     | <b>SEARCH FEES</b>                                      |                     | <b>EXAMINATION FEES</b> |                      |                                  |
|   |                    | <b>Small Entity</b> |   | <b>Small Entity</b> |                         | <b>Small Entity</b>  |                                  |
| <b>Application Type</b>   | <b>Fee (\$)</b>    | <b>Fee (\$)</b>     | <b>Fee (\$)</b>   | <b>Fee (\$)</b>     | <b>Fee (\$)</b>         | <b>Fee (\$)</b>      | <b>Fees Paid (\$)</b>            |
| Utility   | 300                | 150                 | 500   | 250                 | 200                     | 100                  |                                  |
| Design  | 200                | 100                 | 100   | 50                  | 130                     | 65                   |                                  |
| Plant   | 200                | 100                 | 300   | 150                 | 160                     | 80                   |                                  |
| Reissue   | 300                | 150                 | 500   | 250                 | 600                     | 300                  |                                  |
| Provisional   | 200                | 100                 | 0   | 0                   | 0                       | 0                    |                                  |
|   |                    |                     |   |                     |                         |                      | <b>Small Entity</b>              |
|   |                    |                     |   |                     |                         |                      | <b>Fee (\$)</b>                  |
| <b>2. EXCESS CLAIM FEES</b>   |                    |                     |   |                     |                         |                      | <b>Fee (\$)</b>                  |
| <b>Fee Description</b>  |                    |                     |   |                     |                         |                      | <b>Fee (\$)</b>                  |
| Each claim over 20 (including Reissues)   |                    |                     |   |                     |                         |                      | 50                               |
| Each independent claim over 3 (including Reissues)  |                    |                     |   |                     |                         |                      | 200                              |
| Multiple dependent claims   |                    |                     |   |                     |                         |                      | 360                              |
|   |                    |                     |   |                     |                         |                      | 180                              |
| <b>Total Claims</b>   |                    |                     |   |                     |                         |                      | <b>Multiple Dependent Claims</b> |
| <b>Extra Claims</b>   |                    |                     |   |                     |                         |                      | <b>Fee (\$)</b>                  |
| <b>Fee (\$)</b>   |                    |                     |   |                     |                         |                      | <b>Fee Paid (\$)</b>             |
| 11 - 29 = _____ x _____ = _____   |                    |                     |   |                     |                         |                      |                                  |
| <b>Indep. Claims</b>  |                    |                     |   |                     |                         |                      | <b>Fee Paid (\$)</b>             |
| <b>Extra Claims</b>   |                    |                     |   |                     |                         |                      |                                  |
| <b>Fee (\$)</b>   |                    |                     |   |                     |                         |                      |                                  |
| 7 - 7 = _____ x _____ = _____   |                    |                     |   |                     |                         |                      |                                  |
| <b>3. APPLICATION SIZE FEE</b>  |                    |                     |   |                     |                         |                      |                                  |
| If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). |                    |                     |   |                     |                         |                      |                                  |
| <b>Total Sheets</b>   |                    | <b>Extra Sheets</b> | <b>Number of each additional 50 or fraction thereof</b> |                     | <b>Fee (\$)</b>         | <b>Fee Paid (\$)</b> |                                  |
| _____ - 100 = _____   |                    | /50                 | _____ (round up to a whole number) x _____              |                     | = _____                 |                      |                                  |
|   |                    |                     |   |                     |                         |                      | <b>Fees Paid (\$)</b>            |
| <b>4. OTHER FEE(S)</b>  |                    |                     |   |                     |                         |                      |                                  |
| Non-English Specification, \$130 fee (no small entity discount)   |                    |                     |   |                     |                         |                      | 1,400.00                         |
| Other (e.g., late filing surcharge): 1501 Utility issue fee   |                    |                     |   |                     |                         |                      | 300.00                           |
| 1504 Publication fee for early, voluntary, or normal ...  |                    |                     |   |                     |                         |                      | 15.00                            |
| 8001 Printed copy of patent w/o color   |                    |                     |   |                     |                         |                      |                                  |

|                     |                   |                         |                    |
|---------------------|-------------------|-------------------------|--------------------|
| <b>SUBMITTED BY</b> |                   | <b>Registration No.</b> | <b>Telephone</b>   |
| Signature           |                   | (Attorney/Agent) 28,371 | (202) 828-2232     |
| Name (Print/Type)   | Thomas J. D'Amico | Date                    | September 16, 2005 |